

# Exhibit A

IN THE CIRCUIT COURT FOR SEVIER COUNTY, TENNESSEE

ELAINE HANLIN, and husband,  
ROGER HANLIN,  
2 Lakecrest Cove  
Milan, Tennessee 38358

Plaintiffs,

v.

JAYELL RANCH,  
Serve: Wyatt Bunch  
1131 Jayell Road  
Sevierville, Tennessee 37862

WYATT BUNCH,  
1131 Jayell Road  
Sevierville, Tennessee 37862-6143

BUNCH ENTERPRISES, LLC,  
D/B/A JAYELL RANCH,  
Serve Agent for Service of Process:  
Wyatt Bunch  
1131 Jayell Road  
Sevierville, Tennessee 37862-6143

JAY ELL PROPERTIES, LLC,  
D/B/A JAYELL RANCH,  
Serve Agent for Service of Process:  
Kent Merritt  
2102 Hornbuckle Lane  
Sevierville, Tennessee 37876-6281

Defendants.

No. 15-cv-380-I

FILED  
NITA D. ELLISON, CLERK  
SEVIER COUNTY, TN

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CIRCUIT COURT  
FILED

PRYOR, FLYNN  
PRIEST & HARBER  
ATTORNEYS AT LAW  
Suite 600  
Two Centre Square  
P.O. Box 870  
Knoxville, TN 37901

## COMPLAINT

Come the Plaintiffs, Elaine and Roger Hanlin, by and through counsel, and bring this cause of action for injuries and damages sustained by Elaine Hanlin on June 23, 2014. This cause of action arises out of injuries and damages sustained in Sevierville, Sevier County, Tennessee.

1. The Plaintiffs are citizens and residents of Milan, Tennessee and reside at the address listed in the caption.

2. The Defendant, Jay Ell Properties, LLC, is a domestic limited liability company with principal offices at 2102 Hornbuckle Lane, Sevierville, Tennessee 37876-6281 and may be served through its registered agent, listed in the caption. The Defendant, Bunch Enterprises, LLC, is a domestic limited liability company with principal offices at 1131 Jayell Road, Sevierville, Tennessee 3782-6143 and may be served through its registered agent, Wyatt Bunch, who is also sued in his individual capacity. His address is listed in the caption. At all times herein material, and upon information and belief, Jay Ell Properties, LLC, Bunch Enterprises, LLC and/or Wyatt Bunch were owners and/or operators of Jayell Ranch, a Sevierville business operating zip line tours and horseback riding on June 23, 2014. Additionally, and/or in the alternative, the Defendant, Jayell Ranch, operates as an individual sole proprietorship and may be served with process at its business location at 1131 Jayell

Road, Sevierville, Tennessee 37862 via Wyatt Bunch. These Defendants will be referred to collectively as "Jayell Ranch."

3. On or about June 23, 2014, the Plaintiffs, Roger and Elaine Hanlin, were visiting Pigeon Forge and the Great Smoky Mountains National Park in Sevierville, Sevier County, Tennessee for a family reunion when they decided to take advantage of a local attraction known as Jayell Ranch, an operation owned and operated by the Defendants either individually or jointly, and located at 1131 Jayell Road, in Sevierville, Sevier County, Tennessee.

4. One of the attractions offered by the Defendants, known as Jayell Ranch, is a Zip Line Tour. Upon information and belief, the tour consists of several individual zip lines which are operated by employees, servants, and/or agents of the Defendants, jointly or individually. Several of the zip lines are designed so as to require an individual on the ground to belay and/or slow zip line participants as they approach the end of the individual zip lines.

5. At approximately the third platform or zip line, the Plaintiff, Elaine Hanlin, approached and proceeded down the zip line as instructed by staff of the Defendants. The belaying employee and/or the individual assigned to slow her progress as she approached the finishing platform negligently failed to slow or stop her progress causing her to collide with the support structure at an unsafe/high rate of speed, causing great bodily injury and damage.

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6. At all times herein material, the Defendants, individually and jointly, owed the Plaintiffs a duty to safely guide them through the zip line tour and provide safe passage and operate the zip line ride pursuant to accepted standards for such rides. Furthermore, as the operator of the amusement ride, they owed the Plaintiffs, including Elaine Hanlin, the highest degree of care.

7. At all times herein material, the Defendants, their agents, servants and/or employees were guilty of negligence which served as the direct and proximate cause of the injury and damages sustained by the Plaintiffs, Elaine and Roger Hanlin. The allegations of negligence include:

- a. They negligently designed and operated the zip line ride;
- b. They failed to follow industry-wide safety guidelines in the operation of the amusement ride;
- c. They failed to provide safe passage for the Plaintiff, Elaine Hanlin;
- d. They failed to stop or slow the Plaintiff, Elaine Hanlin, during her decent;
- e. They failed to modify the design or operation of the amusement ride when they knew or should of known of the dangerous nature of the ride; and,
- f. They failed to adequately warn the Plaintiffs of the dangerous nature or condition to the property, as the zip line and the method of its operation served as a defective or dangerous condition to the property.

8. As a result of the negligence of the Defendants named herein, the Plaintiff, Elaine Hanlin, suffered severe and disabling injuries, including but not limited to, closed fracture of the proximal left clavicle, multiple left sided rib fractures with hemopneumothorax, left shoulder injury and associated complications. She has been caused to come under the care of medical specialists, required extensive hospitalizations and home health care. She has suffered permanent injuries, the extent of which are still unknown. She has suffered a loss of earning capacity, pain of body and mind and suffered a severe depreciation of her ability to enjoy the riches of life.

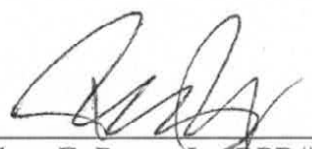
9. The Plaintiff, Roger Hanlin, as husband to Elaine Hanlin, brings this cause of action for the loss of consortium, society and services of his wife, Elaine Hanlin.

10. Upon information and belief, the Defendants have engaged in previous reckless, wanton and/or intentional behavior in the operation of Jayell Ranch and that with consideration given to prior incidents with the operation of their business and the reckless and wanton nature of the negligence in this case, they are subject to punitive damages.

**WHEREFORE**, the Plaintiff, Elaine Hanlin sues the Defendants for compensatory damages for a sum deemed fair and reasonable by a jury of their peers not to exceed **THREE MILLION DOLLARS (\$3,000,000.00) AND** for a sum of **ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00)** in punitive damages. The Plaintiff, Roger Hanlin, brings his cause for compensatory damages for a sum deemed fair and

reasonable by a jury of his peers not to exceed **FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)**, AND the Plaintiffs join in their demand that a jury try their cause.

RESPECTFULLY SUBMITTED: this 5<sup>th</sup> day of June, 2015.

  
Robert E. Pryor, Jr. (BPR#017525)  
Counsel for Plaintiffs

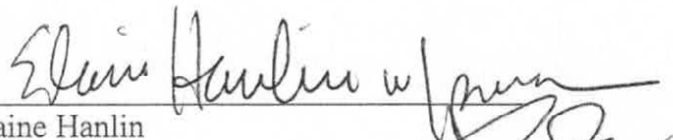
PRYOR, PRIEST, HARBER, FLOYD & COFFEY  
Post Office Box 870  
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865/522-4191

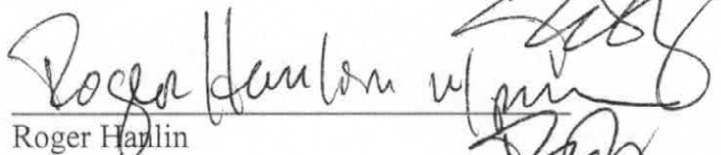
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**COST BOND**

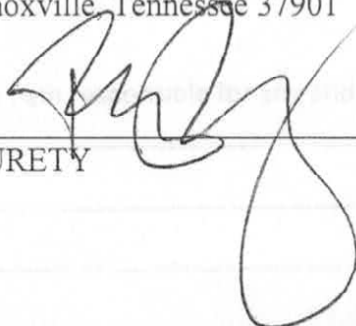
We, Elaine and Roger Hanlin, as Principals, and PRYOR, PRIEST, HARBER, FLOYD & COFFEY, as Surety, are held and firmly bound unto the Circuit Court for Sevier County, Tennessee, for the payment of all costs awarded against the Principals. To that end, we bind ourselves, our heirs, executors, and administrators.

The Principals are commencing legal proceeding in the Circuit Court for Sevier County, Tennessee. If the Principal shall pay all costs which are adjudged against them then this obligation is void. If the Principal fails to pay then the surety shall undertake to pay all costs adjudged against the Principals. Mandated at T.C.A. §20-12-10, et seq.

  
Elaine Hanlin

  
Roger Hanlin

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P.O. Box 870  
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SURETY

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